

BEST AVAILABLE COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 03 2005

Applicant(s): Stephen M. Gates, et al.

Examiner: Jesse A. Fenty

Serial No.: 10/766,249

Art Unit: 2815

Filed: January 27, 2004

Docket: YOR920010052US3 (16876Z)

Dated:

For: ELECTRONIC STRUCTURES WITH REDUCED CAPACITANCE

Confirmation No.: 4166

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

International Business Machines Corporation, a corporation of Armonk, New York, having a principal place of business at New Orchard Road, Armonk NY 10504 and owners of the entire right, title and interest in the above-identified application, as evidenced by an application claiming benefit of U.S. Application No. 10/045,711, now 6,737,727 B2 (See page 1 of the filing transmittal), hereby disclaims the terminal portion of any patent granted on the above-identified application which would extend beyond the expiration date(s) of the full statutory term defined in 35 U.S.C. §§154-156 and 173 as presently shortened by any Terminal Disclaimer of the commonly assigned U.S. Patent No. 6,737,727 B2 (recordation date May 7, 2001 at reel 012127, frame 08261, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to the patent shall be the same as the legal title to said U.S. Patent No.

01/04/2005 MMEKONEN 00000061 500510 10766249

01 FC:1814

130.00 DA

BEST AVAILABLE COPY

6,737,727B2, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Authorization is hereby given to charge Deposit Account No. 50-0510/IBM, in the amount of \$130.00, the requisite fee required for filing this Terminal Disclaimer. A duplicate of this submission is enclosed.

Respectfully submitted,

Dated: Dec. 23, 2004

By: Robert M. Trepp
Robert M. Trepp, Esq.
Attorney of Record for Applicants
Registration No. 25,933

Scully, Scott, Murphy & Presser
400 Garden City Plaza Suite 300
Garden City, New York 11530

LSS/jw